

7 FAM 500 Appendix E (Old 7 FAM 210 Veterans Administration)

(TL:CON-42; 3-25-87)

This appendix contains the text of old subchapter 7 FAM 210 , Veterans Administration. Because this material has not been revised, we are publishing the old (and still valid) text in this format to alleviate some of the confusion caused by having old and new 7 FAM chapter numbers still in existence. When this material is revised and issued as part of the chapter text, this appendix will be deleted. The appendix internally retains the old 7 FAM numbering. The relevant TL's are: CON-45, 4-21-71; CON-53, 11-29-73; and CON-58, 2-27-75. NOTE: Section references in *italic* have been updated from the original text.

7 FAM 210 VETERANS ADMINISTRATION

7 FAM 210.1 Authority and Responsibility

In conjunction with this part, read section 7 FAM 502 .

7 FAM 210.1-1 Reference to Public Laws

The Public Laws pertaining to veterans' benefits are found in title 38, United States Code.

7 FAM 210.1-2 Distinction Between Compensation and Pension

a. Compensation

The term "compensation" means a monthly payment made by the Administrator of Veterans' Affairs to a veteran because of service-connected disability, or to a widow, child, or parent of a veteran because of the service-connected death of the veteran occurring before January 1, 1957. (38 U.S.C. 101 (13).)

b. Pension

The term "pension" means a monthly payment made by the Administrator of Veterans' Affairs to a veteran because of service, age, or non-service-connected disability, or to a widow or child of a veteran because of the non-service-connected death of the veteran. (38 U.S.C. 101 (15).)

7 FAM 210.1-3 Check Delivery

See section 7 FAM 506.2 and subchapter 7 FAM 520 .

7 FAM 210.1-4 Expenditures

See section 7 FAM 502.1 .

7 FAM 210.1-5 Change of Address

The individual sends a change of address request over his signature by open mail to the address given in section 7 FAM 210.4-3 b, and includes his full name, VA file number, last address of record, and new address. If the individual is receiving treatment through an embassy or consulate, the VA hospital, with address as shown in section 7 FAM 210.4-3 a, also should be informed of the change of address.

7 FAM 210.1-6 Public Inquiries

The individual sends his inquiry through the open mail direct to the address given in section 7 FAM 210.4-3 b, including his full name, complete address, and VA file number, in his letter. If the inquiry is in reference to treatment or medical care, it should be forwarded to the address listed in section 7 FAM 210.4-3 a.

7 FAM 210.1-7 VA Forms

Address requests for VA forms to address listed in section 7 FAM 210.4-3 c. Order only a minimum quantity for past needs, as forms may be revised or may become obsolete.

7 FAM 210.2 Date-Stamping Documents

38 CFR 3.108 provides: "Diplomatic and consular officers of the Department of State are authorized to act as agents of the Veterans Administration and, therefore, a formal or informal claim or evidence submitted in support of a claim filed in a foreign country will be considered as filed in the Veterans Administration as of the date of receipt by the State Department representative."

In the light of the foregoing, it is obviously important that the date be recorded on which a claimant makes at a Foreign Service post his first formal or informal application for a benefit. This is most conveniently done by date-stamping correspondence received or the copy of a document submitted in relation to such a claim, as the Veterans Administration does create a formal record of the application date. Because of its special significance, however, Veterans Administration policy precludes release from its files of any document submitted in relation to a claim once it has been date-stamped by the Veterans Administration or at a Foreign Service post. Therefore, because many original documents such as birth, marriage, discharge, or death certificates, and divorce decrees are valued by their owners who want them returned, the office date stamp is not placed on such originals. Instead, the applicant is invited to submit a copy along with the original. The date stamp for the earliest date of receipt at the post is placed on the copy after it has been certified by the consular officer as a true copy of the original, which is then returned to the claimant.

When it is not feasible to obtain a copy because the claimant lives away from the post or would not be able to obtain a copy conveniently, the date stamp for the earliest date of receipt of the document at the post is placed on the operations memorandum or transmittal slip form under cover of which the document is forwarded to the Veterans Administration. If there is no such transmittal document, a slip of paper on which the consular date stamp is placed may be attached to each document by a paper clip (not stapled).

7 FAM 210.3 Authentication of Documents

38 CFR 3.202 provides, in part:

“(a)...where an affidavit or other document is executed by or before an official must be authenticated by a United States consular officer in that jurisdiction or by the State Department...”

“(b) Authentication will not be required:

“(1) On documents approved by the Deputy Minister of Veterans Affairs, Department of Veterans Affairs, Ottawa, Canada; or

“(2) When it is indicated (in the jurat (added)) that the attesting officer is authorized to administer oaths for general purposes and the document bears his signature and seal; or

“(3) When the document is executed before a Veterans Administration employee authorized to administer oaths; or

“(4) When a copy of a public or church record from any foreign country purports to establish birth, marriage, divorce, or death provided it bears the signature and seal of the custodian of such record and there is no conflicting evidence in the file which would serve to create doubt as to the correctness of the record; or

“(5) When a copy of the public or church record from one of the countries comprising the United Kingdom, namely: England, Scotland, Wales, or Northern Ireland, purports to establish birth, marriage, or death, provided it bears the signature or seal or stamp of the custodian of such record and there is no evidence which would serve to create doubt as to the correctness of the records; or

“(6) When affidavits prepared in the Republic of the Philippines are certified by a Veterans Administration representative located in the Philippines having authority administer oaths.”

7 FAM 210.4 Communications

In conjunction with this part, read section 7 FAM 508 .

7 FAM 210.4-1 Communications With the Department

a. Only the following categories of communications on Veterans Administration matters shall be addressed to the Department for the attention of the Office of Special Consular Services (SCS):

(1) A communication on a matter of policy regarding the performance of services abroad for the VA.

(2) Request for assistance in a specific case in which the VA has failed to respond to the post's communication within 90 days following transmittal of the communication.

b. All other categories of communications shall be addressed direct to the appropriate VA office. The communications unit of the post should route telegraphic messages direct to the appropriate VA department located in the District of Columbia.

The telegraphic routing indicators are as follows:

VA Hospital, Washington	RUEVDHC
Veterans Benefits Office	RUEVEAU
VA Central Office	RUEVDHB

7 FAM 210.4-2 Philippines

The VA Regional Office at Manila has jurisdiction over all business of the Veterans Administration in the Philippines. That office will send and receive all communications bearing on veterans' affairs in the Philippines.

7 FAM 210.4-3 Posts in Other Countries

When replying to correspondence received from a VA office, the reply should be directed to that office, including the VA correspondence symbol (reference number) in the first line of the address. The operations memorandum or transmittal form used to communicate with the VA shall be sent by air in an envelope bearing only the address from the list below indicated as the appropriate one in the section of this part of the manual dealing with the subject matter of the material being transmitted to the VA:

- a. VA Hospital
50 Irving Street, NW
Washington, D.C. 20422
- b. Veterans Benefits Office
2033 M Street, NW
Washington, D.C. 20421
- c. Veterans Assistance Services Staff
VA Central Office (27)
810 Vermont Avenue, NW
Washington, D.C. 20420

When a doubt exists as to the correct address, a post sends its submission to the address given in paragraph c.

7 FAM 210.5 Schooling for Veterans

(38 CFR Part 21.)

7 FAM 210.5-1 Veterans Eligible

Veterans of the post-Korea conflict period, including current members of the Armed Forces, are eligible.

7 FAM 210.5-2 Schools Eligible

An institution of higher learning (college, university, or postgraduate) at which an eligible veteran has actually applied for admission is eligible under this program.

7 FAM 210.5-3 Procedure for Approval of School

Posts are not to suggest that a school make application; however, an application may be solicited at the VA's request. An eligible school may apply for approval by submitting to the post, for forwarding to the Veterans Administration, a request in duplicate (1) prepared in the English language or accompanied by an English translation; (2) dated and subscribed to by an official whose title or position is indicated and who is authorized to commit the institution to an agreement with the Veterans Administration; and (3) providing the following information:

a. Full legal name of the institution, local alternative name(s), and the English language equivalent, as appropriate.

b. Address of the institution.

c. Full name and title of the person or persons authorized to certify Veterans Administration forms for the institution.

d. Language or languages used in conducting classes.

e. Sponsorship, such as Ministry of Education, provincial, state, canton, municipal, specific church organization or religious order, etc.

f. Accrediting authority, such as Ministry, Department, or Office of Education, etc.

g. Whether officially classified by the Ministry, Department, or Office of Education, etc., as an "Institution of Higher Learning."

h. Name each "course" or "program of study" for which approval is desired; stated the academic prerequisites for enrollment in each; and show the total length of each. Reference to a specific course by name or number in a catalog is sufficient if the prerequisites and length are shown in the catalog. Two copies of the catalog should be included with each application.

i. Whether the institution agrees to accept U.S. veterans or servicemen as students, at the students' expense, in accordance with the provisions of the law, and at rates for tuition and related instructional fees and expenses not greater than those required of other students similarly circumstanced.

j. Whether the institution agrees to maintain sufficient records to show the progress of each veteran or serviceman enrolled under the law, to inform the Veterans Administration through the nearest Foreign Service post promptly when the conduct or progress of the U.S. veteran or serviceman is not satisfactory, in accordance with the regularly prescribed standards and practices of the institution, and to include the reason or reasons therefor.

k. Whether the institution agrees to complete an enrollment certification and inform the Veterans Administration promptly when it comes to the school's attention that a veteran or serviceman has interrupted or discontinued the course or program of study, giving the date of withdrawal and the reason, if known.

l. Whether the institution gives appropriate credit for previous education and training of the student, shortens the training period proportionately, and reflects on the enrollment certifications the credit granted.

m. Whether the institution, if and when requested by the Veterans Administration, makes all appropriate records pertaining to the enrollment of U.S. veterans or servicemen under the law available for examination by the Veterans Administration or its representative.

n. Whether the institution routinely furnishes the Veterans Administration with current publications concerning the courses or programs of study which are approved under the law.

7 FAM 210.5-4 Post Reporting on Schools

a. Processing Application

The post forwards the school's application for consideration by the Veterans Administration. The covering report includes the date on which the application is received at the post and a statement whether the post is satisfied that the school is reputable and the person who signs the application is an official of the school authorized to commit the institution to an agreement with the Veterans Administration.

b. Subsequent

The post reports any information coming to its attention regarding an approved school which may be cause for doubt that enrollment at the institution is in the best interest of the veteran or of the U.S. Government. The Veterans Administration may request a special report in some situations on the continuing eligibility of a particular school if a doubt arises.

c. Routing of Material

See section 7 FAM 210.4-3 c for the address to which applications and reports are sent.

7 FAM 210.5-5 Action by VA on Application for Approval

The VA will inform the school of the date of approval, which is the date the application is received at the post, and other pertinent facts. If the school is not approved, notice to the school of that finding will include specific reasons for the action. If it is found necessary to withdraw approval, the institution will be fully informed in writing and the veteran or serviceman concerned will be notified by the VA. A copy of each such communication to the school will be furnished to the post for its information.

7 FAM 210.5-6 Query by Individual Regarding Schooling

The post instructs veterans, servicemen, or their dependents seeking information regarding schools to write through the open mails to the address provided in section 7 FAM 210.4-3 b. Correspondence on this subject is direct between the interested party and the VA.

7 FAM 210.6 Schooling Award for Minor Child of Veteran

7 FAM 210.6-1 Eligibility of Child

An award to the minor child of a veteran is terminated at age 18. When such a child continues to attend or enrolls in an approved course at a VA-approved school after the age of 18, the award may be continued or reinstated for so long as the child is unmarried, is under the age of 23, and pursues an approved course of study at an approved school. If the VA has no record of the approval of the school, it will seek the assistance of the post having jurisdiction over the territory in which the school is located. The request for approval information will be made by letter or by transmitting VA Form 21-674, Request for Approval of School Attendance.

7 FAM 210.6-2 Action by Post

a. Certifying School and Course Eligibility

On the basis of the following criteria, the post decides on the eligibility of the school and the course. If the school and course are approved, that finding is stated in the space marked "FOR VA USE ONLY" on the VA form 21-674 previously completed by the claimant. The name and location of the post are inserted in the "VA OFFICE" space. If the post finds that the school or course should not be approved, the form is returned to the VA under cover of a memorandum explaining the reason for withholding approval. The completed form and any covering report are sent by air in an envelope bearing the address given in section 7 FAM 210.4-3 c or to the office requesting approval.

b. Eligibility Criteria for School

(1) An institution offering courses already approved for any other VA educational purposes may automatically be approved for children of veterans.

(2) A school must be one recognized as standard, as well as full accredited to offer the course, by the authority established within the country for determining educational standards, such as the Ministry of Education or the Ministry of Cultural Affairs.

c. Eligibility Criteria for Course

(1) The course must require attendance at not less than three regular daily (or evening) sessions a week and contemplate attainment of the training or educational objective in a period commonly accepted as adequate for that purpose.

(2) Courses conducted entirely by correspondence are not to be approved.

d. Subsequent Reporting

The post reports immediately any event which might influence entitlement of the child to the award, such as termination of training, marriage of the child, or loss of approved status by the school. If there is doubt whether such an event would influence the award, the facts are to be reported for consideration. Reports are sent to the address indicated in section 7 FAM 210.4-3 b.

7 FAM 210.7 Medical Services Abroad

7 FAM 210.7-1 Eligibility

a. Citizenship

Hospital care and outpatient treatment abroad are available only to a U.S. citizen veteran who is otherwise eligible.

b. Service-Connected Disability

Medical services are available only with respect to a disease or injury adjudicated by the VA as incurred or aggravated in military service.

c. Retired Armed Forces Personnel and Dependents

See section 7 FAM 581.5 .

d. ID Card Entitlement

VA Form 10-1174f, VA Foreign Medical Services Information Card, will identify the VA beneficiary and describe the disabilities for which the veteran is eligible for care. On the basis of the ID card entitlement, the Foreign Service post may approve outpatient care and prescription services for the disabilities listed without obtaining further authorization from the VA. When a veteran in ID card status requires hospitalization, dental examination or treatment, and prosthetic services, prior approval from the VA will be needed.

7 FAM 210.7-2 Applications

a. VA Form 10-10, Application for Medical Benefit, is used for making application for hospital care, for initial outpatient medical services, and for dental treatment.

b. (Reserved for future use.)

c. Initial requests for medical care must be accompanied by a consular officer's statement of the facts regarding the veteran's U.S. citizenship; that is, the number and date of issuance of the veteran's valid U.S. passport. If the veteran is not in possession of a valid U.S. passport and the post has no record indicating that the veteran's U.S. citizenship has been certified by the Passport. Office of the Department, a statement of the facts on the basis of which the veteran claims U.S. citizenship and a description of the documents presented in support of the claim should be submitted.

d. The post transmits all applications for medical care by air in an envelope bearing only the address given in section 7 FAM 210.4-3 a.

e. In all countries except Canada and the Philippines, the post promptly prepares and submits the veteran's application for medical care on the appropriate VA form when it is available. When the appropriate VA form is not available, the post uses an operations memorandum providing the veteran's full name, date and place of birth, VA claim number, if available, or Armed Forces serial number, social security number when available, the facts concerning citizenship, the date on which the veteran applied at the post, the medical care requested by the veteran, and a request for VA authorization for the treatment or other medical services, medical supplies, or prosthetic devices and supplies to which the veteran may be entitled.

f. Posts in Canada should refer a veteran seeking treatment or hospitalization in Canada to the nearest office of the Canadian Department of Veterans Affairs. The Canadian Department of Veterans Affairs makes direct contact with the VA and receives by direct reply the decision of the VA on the veteran's application. However, the application of a veteran in Canada for VA benefit other than treatment or hospitalization in Canada is processed in the same manner as for a veteran in any other country.

g. The Veterans Administration Regional Office at Manila has jurisdiction over all business of the Veterans Administration in the Philippines.

7 FAM 210.7-3 Emergencies

a. Outpatient treatment may be furnished an entitled beneficiary with approval ID card or when initial application for such treatment is made and approved in advance. When such treatment is rendered without advance authorization due to need for emergency or prompt treatment, such treatment may be authorized retroactively for a service-connected condition, provided request is made to the post not later than 15 days after initial treatment. Such requests for authorization may be made by telephone, telegram, or letter. The date of receipt of a telephonic request, dispatch date of a telegram, or postmark date of a letter will be accepted as the date of request.

b. Emergency hospitalization may be provided an eligible veteran if the condition is service-connected and a request for hospitalization is made to the post within 72 hours after the date and hour of the veteran's admission to the hospital. Under those conditions, the post contacts the VA direct for issuance of an authority for hospitalization at VA expense.

c. When the post is notified within the 72-hour period, and the VA is promptly advised, the effective date of the authorization will be the admission date. Otherwise, the effective date will be the postmark date of a letter request, dispatch date of a telegram, or the date a telephoned request is received by the post. The 72-hour rule applies to both military and civilian hospitals.

7 FAM 210.7-4 Authorizations

Following determination of the veteran's eligibility, the VA will prepare and forward to the post one or more of the following forms, upon receipt of which the post will make arrangements with the hospital, clinic, or physician concerned for authorized medical care:

a. For hospital care, medications, or prosthetic and sensory aids, VA Form 10-7078, Authorization and Invoice for Medical and Hospital Services.

b. For outpatient examinations, VA Form 10-7079, Request for Outpatient Medical Services.

c. For dental examination or treatment, VA Form 10-2569, Authorization for Dental Service.

d. For prosthetic repairs, VA Form 10-2421, Prosthetic Repair Authorization and Invoice.

e. For transportation at VA expenses, VA Form 07-3542, Authorization to Report-Voucher for Mileage Allowance.

7 FAM 210.7-5 U.S. Military Facilities

a. U.S. military facilities will be used to the extent practicable, taking into consideration such factors as the mental condition of the veteran, types of service available, distances to be traveled, and costs incident thereto.

b. When medical services are obtained through community resources, fees may not exceed the usual and customary charges to the general public for similar services.

7 FAM 210.7-6 Outpatient Treatment

a. Physicians should be instructed to provide treatment at VA expense only for the service-connected condition(s) listed on VA ID card or other authorization document.

(1) Referral by a Foreign Service post to a physician constitutes authority for a physician and/or a third party to render a service to an eligible veteran, at VA expense.

(2) The authorized physician is responsible for the completed report, but billings to the VA may be rendered separately or may be combined.

b. Instructions issued by the post should be read by the physician prior to initiating service, in order to avoid any misunderstanding.

c. The bill for medical services should be processed for payment in accordance with section 7 FAM 201.1 b, and should provide the following information:

(1) The bill must be fully itemized by the physician before payment may be approved. The physician's attention should be called to the "Billing Instructions" printed on VA Form 10-7079.

(2) Each bill should be checked at the post for the following items prior to forwarding for payment in accordance with section 7 FAM 201.1 b:

- (a) Patient's name;
- (b) Social security number and/or VA claim number;
- (c) Condition treated;
- (d) Date of each treatment or service; and
- (e) Fee for each treatment or service.

7 FAM 210.7-7 Dental Examination or Treatment

a. Dental examination or treatment will be authorized on VA Form 10-2569, Authorization for Dental Service.

b. The dentist will submit any x-rays taken and a report of examination to include findings, with an itemization of the recommended treatment, and the dentist's customary fee for each item. If approved by the VA, an authorization for treatment will be promptly forwarded to the post.

c. Billing for dental services may be submitted on the dentist's letterhead to include the veteran's name, social security number or claim number, date of billing, dates of services, fees charged, and a description of services rendered.

7 FAM 210.7-8 Prosthetic Appliances

a. An authorization for procurement and issuance of a prosthetic or similar appliance (except stump socks or hearing aid batteries) must be preceded by a determination of the veteran's entitlement to and need for the prosthesis. The determination of need is based on an examination by a qualified physician and a written prescription for the specific appliance required. Sources of supply and cost estimates should be submitted to the address given in section 7 FAM 210.4-3 a.

b. VA Form 10-7078, Authorization and Invoice for Medical and Hospital Services, will be issued by the VA Hospital for the purchase of a prosthetic or similar appliance.

(1) Upon completion of an artificial limb or similar appliance, prescribed by a physician and procured from a vendor in a foreign country as authorized by the VA Hospital, arrangements should be made for delivery to the prescribing physician. The physician will examine the appliance fitted to the veteran and certify that the item prescribed was delivered and is satisfactory for the veteran's use.

(2) The veteran must acknowledge receipt of the prescribed appliance and certify that it is satisfactory.

Payment to the vendor will be expedited if such certifications are submitted together with the invoice.

c. When repairs are needed for an appliance previously authorized, the veteran should contact the post for authority from the VA Hospital to procure such repairs from local sources. VA Form 10-2421, Prosthetic Repair Authorization and Invoice, will be used by the VA Hospital for authorizing such repairs.

d. Emergency minor repairs may be obtained locally by the eligible veteran if a request for authorization is made to the Foreign Service post within 15 days following the date of the repairs. However, the total cost of such repairs should not exceed \$50. If the veteran pays for the repairs and requests reimbursement within the prescribed time (15 days), the post should request authorization for the repairs. Upon receipt of the authorization, the bills should be paid in accordance with section 7 FAM 201.1 b, otherwise the request must be processed under section 7 FAM 210.7-10 .

e. Procedures for furnishing stump socks and hearing aid batteries to veterans in foreign countries are as follows:

(1) The veteran's initial written request for stump socks or hearing aid batteries must be submitted to the nearest post.

(2) The veteran's request, together with a statement by the post of the facts regarding the veteran's U.S. citizenship (see section 7 FAM 210.7-2 c) will be forwarded by the post to the address given in section 7 FAM 210.4-3 a .

(3) After determination of eligibility, a supply of stump socks or batteries and a blank VA Form 10-2345, Veterans Request for Stump Socks, or VA Form 10-2346, Request for Hearing Aid Batteries (Denver), for the veteran's use in reordering, will be sent by air pouch to the post at which the request originated.

(4) All subsequent requests by the veteran should be submitted on VA Forms 10-2345 and 10-2346.

(5) When an eligible veteran has a foreign-made hearing aid or when suitable batteries can be procured locally, the veteran should contact the post for authority from the VA Hospital at the address given in section 7 FAM 210.4-3 a to purchase the batteries locally. Receipted bills should be processed in accordance with section 7 FAM 201.1 b.

NOTE: VA Prosthetic Service Cards are not issued to American beneficiaries in foreign countries. Veterans should be instructed not to attempt to obtain repairs in a foreign country on the basis of a Prosthetic Service Card.

7 FAM 210.7-9 Prescriptions and Medications

a. Prescriptions for medications required in treating the service-connected disability of an eligible veteran may be filled by the treating physician, by a local pharmacy, or by a U.S. military facility.

b. When the treating physician furnishes medications, the prescription form, with the veteran's signature acknowledging receipt of the medications, will be attached to the fee participant's invoice.

c. The prescription form used by a physician should contain the following information:

(1) Date written.

(2) Name and address of veteran patient.

(3) Signature of physician.

(4) Name of manufacture or brand name and/or VA claim number, and veteran's signature acknowledging receipt.

(5) Quantity of each drug purchased.

(6) Date, social security number and/or VA claim number, and veteran's signature acknowledging receipt.

d. If the veteran has the prescription filled and pays for it, the veteran should be advised to obtain a copy of the prescription and a receipted bill from the pharmacy, on which appears the veteran's signature acknowledging receipt of the medications. The veteran will be reimbursed upon submission of the above to the post.

e. Where medications are required on a continuing basis and the veteran is known to the druggist, the pharmacy may furnish the prescribed medications, obtain the veteran's signature acknowledging receipt thereof, and subsequently claim reimbursement from the post.

f. In accordance with section 201.1b, the post pays the bills presented for prescribed medication furnished in relation to a medical service authorized as described in section 7 FAM 210.7-4 .

NOTE: An invoice for medication not supported by the prescription (or a certified copy thereof) must be returned by the post for completion.

7 FAM 210.7-10 Unauthorized Medical Service

An eligible veteran may submit a claim for the cost of unauthorized medical services which the veteran received prior to the time the veteran contacted the post. Such claims will be submitted to the address in section 7 FAM 210.4-3 a on VA Form 10-583, Claim for Payment of Cost of Unauthorized Medical Services, and will be accompanied by a statement, prepared by the post, of the facts concerning the veteran's citizenship (see section 7 FAM 210.7-2 c), temporary residence abroad, medical information substantiating the emergency, and any additional pertinent information.

7 FAM 210.7-11 Disability Evaluation Examinations

a. Examinations are required by the VA to establish the presence or absence of claimed disease, injuries, or residual conditions and, if existent, the extent of disability.

b. The Disability Rating Schedule used by the VA is based on reductions in earning capacity because of diseases or injuries, and residuals thereof.

c. It is imperative that completed reports of examination be promptly submitted in order that payments may be authorized or adjusted without delay. Abnormal delay may cause extreme hardship to a disabled veteran.

d. Examinations are authorized on VA Form 10-7079, Request for Outpatient Medical Services:

(1) Services should be performed by the designated physician within the period of validity. If it is impossible to complete the examination within the period authorized, an extension should be requested from the VA Hospital.

(2) Clinical reports must be forwarded to the VA Hospital within 30 days following completion of the examination.

(3) Fully itemized statement of account for medical services and clinical reports are to be submitted concurrently.

(4) Charges to the VA for medical services may not exceed those made to the general public for similar services in the same area.

e. While disability evaluations and entitlement to monetary benefits are adjudicated on the basis of examinations, the examining physician is responsible only for recording a complete and detailed report, including correct diagnostic analysis of the disabling condition and a description of effects of the disability on the veteran's ordinary activities. While correct diagnosis is of extreme importance, the report should also include observations, clinical findings, and other evidence to substantiate the diagnosis. **Impressions are not acceptable for rating purposes.** The examining physician should avoid any expression of opinion regarding the merit of any claim or percentage evaluation of disability. If during the examination the physician gives the veteran any advice as to treatment, or discontinuance or curtailment of ordinary activities, this should be recorded in the report of examination.

f. General medical examinations are to be reported on VA Form 21-2545, Report of Medical Examination for Disability Evaluation, Examination by specialists may be reported on the physician's letterhead.

7 FAM 210.7-12 Medical Examinations to Determine Need for Regular Aid and Attendance or Household Benefits

a. Applications submitted by veterans or their representative for increased benefits, compensation, or pension, should be accompanied by a physician's statement indicating the veteran is in need of regular aid and attendance or is housebound.

b. When the medical evidence indicates the veteran's condition substantially meets the requirements for increased benefits, the application, together with medical evidence, should be forwarded to the address given in section 7 FAM 210.4-3 b to obtain authorization for a physical examination. VA Form 21-2680, Examination of Household Status or Need for Regular Aid and Attendance, and/or VA Form 21-2545 will be used for this purpose. The examination report, together with the physician's statement and other available evidence, will be reviewed at the VA Hospital and forwarded for adjudication.

c. To facilitate processing of requests for increased disability benefits it is requested that, if possible, the physician's statement and accompanying evidence be translated into English prior to being forwarded to the VA Hospital. However, the post should not make the translation.

d. The particular personal functions which the veteran is unable to perform are considered in conjunction with over-all physical condition. It is only necessary that the evidence establish that the veteran is so helpless as to need the assistance of another person or is substantially confined to house or premises. The following conditions are considered in determining entitlement to aid and attendance benefits:

(1) The inability of the veteran to dress or undress self or to keep self ordinarily clean and presentable.

(2) Frequent need of adjustment of any special prosthetic or orthopedic appliances which by reason of the particular disability cannot be accomplished without assistance.

(3) Inability to feed self.

(4) Inability to attend to the wants of nature.

(5) Incapacity, physical or mental, to protect self from hazards or dangers incident to daily environment or to manage personal funds.

(6) Total blindness.

(7) Confinement to bed.

e. All questions overprinted on VA Forms 21-2545 or 21-2680 must be answered.

7 FAM 210.7-13 Medical Examination in Relation to Insurance

Upon receipt from the VA of a request for examination, the post notifies the veteran of the veteran's responsibility to have a physical examination and recommends a physician believed to be qualified, competent, and reliable. If the veteran uses a physician not so known to the post, or one not found to be so upon review by the post of the physician's local standing, the veteran is required to have another examination, at own expense, by a physician approved by the post. Upon completion of the examination, the veteran requests the physician to return to the post the completed forms provided for the examination report. The post forwards the completed report by air in an envelope bearing only the address given in section 7 FAM 210.4-3 a.

7 FAM 210.7-14 Transportation at VA Expense

a. It is not the practice of the VA to authorize travel for a veteran receiving outpatient treatment when such treatment is rendered at a hospital or by a private physician located in the veteran's home community.

b. When it is necessary for the eligible veteran to travel outside the veteran's home community in order to report for or obtain authorized medical services, transportation at VA expense will be authorized.

(1) When the VA is aware that travel will be required, VA Form 07-3542, Authorization to Report-Voucher for Mileage Allowance, will accompany the medical authorization. Instructions for claiming reimbursement for travel expenses are set forth on the form.

(2) Veteran travel will be authorized at 6 cents per mile for the total mileage (round trip), plus actual cost of ferry fare; bridge, road, and tunnel tolls. If mileage is claimed, no allowance for food or lodging en route will be authorized.

(3) In those instances when the VA is unaware of the necessity for travel and VA Form 07-3542 is not enclosed with the medical authorization, the post should proceed with the examination arrangements, obtain an estimate of the mileage involved and mode of travel (including ferry fares and toll costs), and submit the travel estimates to the VA Hospital by the most expeditious means for issuance of the travel authorization.

NOTE: Each travel claim should be reviewed for completeness and accuracy.

If the veteran has failed to complete the claim, it should be returned to the veteran. Distance claimed should be verified and clearly stated as miles or kilometers.

c. When the veteran must be transported to a hospital by ambulance, the veteran may claim reimbursement for the ambulance service costs by submitting the receipted bill through the post to the address given in section 7 FAM 210.4-3 a. The claim should be supported by the statement of the physician that ambulance travel was medically necessary. If the ambulance service is approved, VA Form 10-2511, Authorization and Invoice for Travel by Ambulance or Other Hard Vehicle, will be issued as an authorization for payment and the post should process the authorization the same as for any other authorized expenditure for the VA.

d. Although present policy calls for reimbursement for veteran travel at a flat 6 cents per mile rate, this limitation is not for application in every case. The following are examples of situations in which the flat mileage rate would not apply:

(1) If a qualified physician is not available locally and it has been determined that the veteran's physical or mental condition requires travel by hired car, the veteran may be reimbursed for the hire of the car, as long as travel is performed by a usually traveled route. The vendor must certify that the rate charged does not exceed the prevailing rate in the community (a car must not be hired from a relative or Government employee).

(2) In the rare case in which travel for an attendant is authorized, the VA must be informed of the attendant's name, address, and relationship to the veteran. If the attendant is a relative of the veteran, the attendant will be reimbursed on the same basis as the escorted beneficiary; if not, the attendant will be paid an additional attendant fee. The veteran and the attendant must submit separate claims.

(3) In those infrequent cases when it is necessary for the veteran to remain overnight in the city where the veteran is being examined, the veteran will be reimbursed, in addition to the mileage allowance, for the actual cost of own lodging and meals. In such case, the veteran must submit itemized, receipted bills.

(4) When a home visit is required and the examining physician must travel outside of own town or city, the physician will be reimbursed for such travel at a rate not to exceed 75 cents per mile, one way only.

(5) When an office examination is authorized but because of the veteran's condition it is necessary for the veteran to be examined at home, the post should arrange for the physician to make a home visit. The physician may bill for medical services and travel on the same invoice.

e. In unusual cases such as those cited above, the post should furnish a statement of the extenuating circumstances and an estimate of the cost of proposed travel, so that the VA may obligate funds.

NOTE: Except in a medical emergency, the veteran must notify the post prior to commencing travel. However, it is extremely important that medical services not be delayed pending receipt of a travel authorization from the VA Hospital.

7 FAM 210.8 Repatriation of Ill Veterans

When a veteran who is ill requests assistance to return to the United States for medical attention, the matter should be processed in accordance with section 360, 370, or 375 in the same manner as for a nonveteran; but the VA claim number or Armed Forces serial number should be provided in addition to the other information required in the case of a nonveteran if the matter is reported to the Department.

The VA is not furnished to pay the cost of transportation to U.S. veterans outside the United States, its territories, or possessions; but it makes arrangements to meet at the port of arrival and transport to a VA Hospital in the United States a veteran returning to the United States for treatment of a service-connected disability whose condition requires being met and transported.

A veteran whose disability is not service-connected is accepted for treatment on a space-available basis if the veteran reports in person at own expense at the hospital where the VA has given prior approval for the veteran's admission.

7 FAM 210.9 Burial Cost Allowance

Reimbursement not to exceed \$250 for expenses incurred in connection with preparation for burial, transportation to place of burial, and the burial or funeral of a deceased veteran is allowed, provided a claim is filed by the undertaker or the person who pays the expenses within 2 years from the date of cremation or permanent burial. The claim for reimbursement is made on VA Form 21-530, Application for Burial Allowance, through the post to the address given in section 7 FAM 210.4-3 b. See section 7 FAM 210.4-3 c for the address from which copies of the form may be obtained. See section 7 FAM 220.5 for information concerning grave markers at Government expense. (38 U.S.C. 902-905; 38 CFR 3.1600.)

7 FAM 210.10 Burial Flags

7 FAM 210.10-1 General Instructions

Burial flags, authorized by 38 U.S.C. 901, are not to be removed from the cartons in which received until used for a veteran's funeral. They are to be stored in the consular section at the post apart from its regular stock of display flags and are to be issued only under the conditions set forth in this part.

As part of the biannual Foreign Service inspection, the post will take inventory to determine whether its stock of burial flags is complete. Any shortage will be reported to the address given in section 7 FAM 210.4-3 a, along with an explanation of the shortage and a request for replacement.

Most posts have been furnished with at least one burial flag. Some posts have none because a need is not anticipated. Should any post presently without a burial flag in stock believe it should have one, a request may be sent to the address given in section 7 FAM 210.4-3 a. The demand is not heavy and replacement procedures make a large supply unnecessary.

7 FAM 210.10-2 Authorized Use of Flag

A burial flag may be issued for use as follows:

- a. To drape the casket of the veteran for whom it is issued prior to interment, entombment, or inurement.
- b. To accompany the remains of a veteran in transit to the place of final disposition. When issued for this purpose, the flag may be draped over the casket within the shipping case, or left packed in its original carton which should be secured to the inside of the shipping case for removal and draping of the casket prior to final disposition. The instructions on VA Form 07-2008, Application for United States Flag for Burial Purposes, are detached and included with the shipping papers for the information of the consignee.
- c. By agreement between the Veterans Administration and the Department of Defense, for burial purposes in connection with the death of in-service personnel who die at points where Army, Navy, Air Force, Marine Corps, or Coast Guard installations cannot supply such flags in time for burial.
- d. As a memorial after final disposition, but only as provided for in the detailed instructions attached to VA Form 07-2008.

7 FAM 210.10-3 Determining Eligibility

A burial flag may be issued only in conformance with the detailed criteria for determining eligibility for such a flag and other matters provided in the instructions attached to VA Form 07-2008, which must be completed and signed by the applicant in accordance with those instructions. The consular officer determines that the criteria are satisfied before issuing the flag to the applicant.

7 FAM 210.10-4 Disposition of Flag

a. To Relative or Friend of Deceased

At the time a flag is issued, the recipient is to be informed that upon completion of the services the flag is to be disposed of as required in the instructions attached to VA Form 07-2008, except that if none of the eligible individuals listed in the form claims the flag, it is to be returned to the post. Any such flag returned to the post is disposed of by mailing it to the address provided in section 7 FAM 210.3 a.

b. Upon Closing Post

Upon the closing of a post, any Veterans Administration burial flag on hand, together with any copies of VA Form 07-2008, is to be transmitted to the address given in section 7 FAM 210.4-3 a.

c. Destruction

The destruction, by burning, of a Veterans Administration burial flag because of damage by fire, flood, vermin, etc., is reported to the address given in section 7 FAM 210.4-3 a in the post's request for replacement of the destroyed flag.

7 FAM 210.10-5 Disposition of Completed VA Form 07-2008 and Flag Replacement

Following issuance of a burial flag, the post forwards the original and duplicate of the executed VA Form 07-2008 by air in an envelope bearing only the address given in section 7 FAM 210.4-3 a. Upon receipt of the form, the office to which it is addressed will send the post a replacement flag. A copy of VA form 07-2008 is packed in the box containing the burial flag.

7 FAM 210.11 Loan Guaranties

Veterans are eligible for loan guaranties upon approval by the Veterans Administration under authority of 38 U.S.C. 1804, 1814 and 1815. These benefits are available only with reference to property and/or a principal place of business situated within the United States. Property situated in a foreign country does not qualify for a loan guaranty under this program. An interested veteran may send his inquiry through the open mail direct to the address given in section 7 FAM 210.4-3 b. See section 7 FAM 210.7-13 for medical examinations in relation to insurance.

7 FAM 210.12 Insurance

(38 CFR Parts 6, 7, and 8.) Persons who inquire about United States Government Life Insurance, National Service Life Insurance, or Servicemen's Indemnity should be advised to send their queries through the open mail direct to the address given in section 7 FAM 210.4-3 b. See section 7 FAM 210.7-13 for medical examinations in relation to insurance.

7 FAM 210.13 Adjusted Service Certificates and Bonds

If a veteran or his heirs present at a post either an Adjusted Service Certificate or Bond and request assistance in handling it, the item may be sent by the post by air in an envelope bearing the address given in section 7 FAM 210.4-3 b. (38 CFR Part 11.)

7 FAM 210.14 Tort Claims

(38 U.S.C. 236.)

Whenever a tort claim arising in a foreign country against the Veterans Administration is presented at a post, as is required by 38 CFR 14.615, it is reviewed for completeness, and correctness, using the provisions of 2 FAM 280 as a guideline. The claim, together with the required resume of applicable local law and the post's recommendations for or against approval of the claim, is then sent to the Veterans Administration address given in section 7 FAM 210.4-3 b.

7 FAM 210.15 Income Questionnaires

In order to be eligible for pension benefits, a beneficiary must submit an annual report of income. Veterans' and beneficiaries' annual income questionnaires are normally distributed with pension checks for the month of October (on or about November 1). Any beneficiary receiving a questionnaire should be encouraged to complete both sides of the questionnaire, and sign and return it before January 15 or the check for January will not be issued.

7 FAM 210.16 Legal Guardianship

On occasions, consular officers will be requested to conduct an investigation to obtain evidence of appointment of, as well as fitness and suitability of, guardians or other court fiduciaries, as well as recognition of legal custodians for minor or incompetent beneficiaries.